U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 9
COMPLIANCE, MONITORING, AND ENFORCEMENT BRANCH

Purpose:	RCRA Compliance Evaluation Inspection
Facility:	U.S. Coast Guard Support Center 1801 South Seaside Avenue San Pedro, CA 90731-0208
EPA ID Number:	CA9690308730
Date of Investigation:	June 7, 1995
EPA Investigators:	Duong Nguyen (415) 744-2130
	Tim Sullivan
Facility Representatives:	Lieutenant Charles Cashin III Engineer Officer (310) 514-6414
	Petty Officer Curry Perkins Hazardous Waste Manager (310) 514-6370
	Ensign Alberto Delgardo Hazardous Waste Coordinator
Report Prepared By:	Duong Nguyen

BACKGROUND

The U.S. Coast Guard base is located on Terminal Island in the city of San Pedro, south of Los Angeles. The facility is comprised of two divisions: the Coast Guard Support Center and thirteen tenant commands. Of these, four are major tenants: the buoy tender, the small boat station and two Coast Guard ships stationed at the base. Engineering and hazardous waste management services are provided by the Support Center for all tenant commands. The Support Center currently has approximately 55 employees, with a capacity to absorb 74 billeted positions. (See Attachment 2 for facility map).

The facility filed a Notification of Hazardous Waste Activity in September 1986 as a Large Quantity Generator and is still operating in that capacity, as shown in its 1993 Biennial Report. Review of EPA records and verification with the California Department of Toxic Substances Control (DTSC), Region 3 indicate that no Resource Conservation and Recovery Act (RCRA) inspection has ever been conducted at the base.

Processes and Hazardous Wastes

Activities generating hazardous wastes at the facility include: buoy-painting, equipment clean-up, general machinery maintenance, parts' paint-blasting, and ship support. The resulting hazardous wastes include: solvents, paints, adhesives, spent bead blast, batteries, and used oil.

The largest wastestream on the premises is used oil. Oily water is generated onboard ships in the bilges due to washing, engine leaks, seawater seepage, and condensation. The oil is then separated onboard by oil/water separators. Upon the ships' docking at the Support Center, the oil is pumped ashore to two underground storage tanks (USTs). The first, a 2,000-gallon tank, is used to support the buoy tender. The second tank, having a 10,000-gallon capacity, holds oil from larger ships.

INVESTIGATION

On June 7, 1995, inspectors from the U.S. EPA, Region 9 performed a RCRA Compliance Evaluation Inspection (CEI) at the U.S. Coast Guard base. The facility was evaluated for compliance with applicable regulations in Title 40 Code of Federal Regulations (CFR) and Title 22 California Code of Regulations (CCR).

SITE INVESTIGATION

The 90-day Hazardous Waste Accumulation Area

The main container storage area is covered by a metal roof and surrounded by a chain-linked fence. Outside this area is a larger yard used for various purposes, such as storage of empty drums stacked horizontally (see Photo #1). The yard itself is also surrounded by a fence. The whole facility is situated on a concrete floor. Emergency equipment consisted of an eyewash/shower unit, a fire extinguisher, and a telephone. These were checked and found to be in good operating condition.

There were three metal lockers within the covered area to store wastes of different classifications. The flammable locker contained a 55-gallon drum with a hazardous waste label denoting the waste as "paint slops". Chief Petty Officer Curry Perkins, the hazardous waste manager, mentioned that used paint and adhesive aerosol cans are punctured to drain the remaining contents into the drum. The empty cans are then recycled as scrap metal. Lieutenant Charles Cashin III, the hazardous waste department supervisor, stated in a telephone conversation on 8/1/95 that the South Coast Air Quality Management District does not require a permit to operate the puncturing device (a telephone call to the agency on the same date confirmed this). He also stated that only wastes of the same hazardous properties go into the "paint slops" drum.

The oxidizer locker is used to store oxygen breathing apparatuses (OBAs) removed from ships. These are picked up for disposal by a contractor about every 60 days. The drum containing OBA canisters was empty from the last pick-up. However, there was a 55-gallon drum containing a liquid "corrosive" soap, according to Mr. Perkins. He said that although unused, the soap was turned in by a shop for disposal. There was no label on the drum and Mr. Perkins could not produce a Material Safety Data Sheet (MSDS) for the waste at the time. The accumulation start date also could not be determined.

Subsequently, he was able to transmit a facsimile of the MSDS to the EPA office on 8/2/95. Review of the document showed that the waste was a liquid with a flash point of 125° F, making it a RCRA ignitable waste (D001) (see Attachment 3 for MSDS excerpt). As such, the waste should not have been stored in an oxidizer locker. By chance the locker did not contain oxidizing wastes at the time, but the facility should take care to separate incompatible wastes in the future.

The corrosive locker holds only product materials, as described by Mr. Perkins. These items are stored temporarily while a ship

is at sea, and would eventually be reclaimed once the ship is back in port.

A closed and unlabeled 55-gallon drum was noticed in the larger accumulation area. Originally, Mr. Perkins described the contents as "some kind of solvent", deposited the previous week by the Maintenance Augmentation Team (MAT). No attempts had been made to determine if the waste was hazardous. However, during a later visit to the MAT shop, the inspectors were informed by the personnel that the drum actually contained spent bead blast from their paint-blasting machine.

Upon the inspectors' return to the 90-day area, the drum was opened showing the contents to be a fine gray-colored spent blast powder. Lt. Cashin said that this was the first drum of bead blast ever to be disposed and the machine has been on base for at least two years. Analysis of the waste was requested and the results were forwarded to the EPA office on 8/2/95. Review showed that the powder was definitely a California hazardous waste (above-limit zinc level) and probably a RCRA hazardous waste as well. This is because the Total Threshold Limit Concentration (TTLC) level of lead was much more than ten times the California Soluble Threshold Limit Concentration (STLC), which is the same as the RCRA Toxicity Characteristic limit (see Attachment 4). Per California testing protocol, if the TTLC level of any hazardous constituent is more than ten times the STLC level, the sample must be tested again to determine the STLC level of that constituent.

A 300-gallon bowser (chest-like container) holding used oil was found without a label. The container was open with a funnel still left in the bunghole. (See Photo #2).

An oil filter crusher was located at a corner of the accumulation area. Under the device was one 55-gallon drum with a hazardous waste label denoting the contents as used oil drained from the crusher. No accumulation start date was given on the label. The drum was open with a funnel in the bunghole (see Photo #3).

The Paint Shop

This shop is used primarily for the painting of buoys. Before painting, buoys are sent to a contractor, Southwest Marine, to be sand-blasted. Although a parts washer was seen outside the shop, Steve Robinson, a painter, stated that the machine has never been used since its installation two years ago. Paint wastes are taken to the 90-day area for storage.

The 2,000-gallon UST, containing used oil from the buoy tender, is located under a concrete slab at the northeast corner of the Paint Shop. A sounding tape is used to measure the level of the

tank. An alarm panel to control overfilling is inside a nearby building. The tank is double-walled.

The Machinery and Rigging Shop (M & R)

The shop is used to change oil for ground equipment. The use oil is removed by the contractor directly at the site. However, in a telephone conversation on 8/2/95, Mr. Perkins said that used oil is now brought to the 90-day area for pick-up.

Two used oil drums, one full, the other half-full, were seen on a pallet outside the shop. The hazardous waste labels on both drums showed no accumulation start dates or descriptions of the contents. One drum was open with a funnel in the bunghole. (See Photo #4). Two other drums of used, uncrushed oil filters were noticed inside the shop, also without any labels or markings.

A parts washer is also located in the shop. Mr. Perkins said that as needed, the shop would contact Safety Kleen to bring in new solvents and pick up used solvents for reclamation. The facility receives invoices for these shipments, instead of manifests. This practice, based on the Milkrun variance, 22 CCR 66263.42, allows the transporter (Safety Kleen) to assume all manifesting responsibilities once it has collected the waste solvents, only if the generator does not generate more than 1,000 kg of hazardous waste per month. Since the Coast Guard base is a large quantity generator, it does not qualify for this exemption. Consequently, the facility needs to obtain manifests from Safety Kleen for solvent removal.

Mr. Perkins informed the inspectors that parts washers are also located at the MAT shop and the Armory.

The Small Boat Station

A 1,000-gallon aboveground storage tank (AST) was used at the site to store used oil from small boats. The tank did not have a hazardous waste label nor did the words "Waste Oil" or "Used Oil" appeared on the outside of the tank. The tank did have a double wall and was placed within a concrete berm. Spill/overfill control equipment were also provided. (See Photo #5).

The Ball Field

A 10,000-gallon UST is under a concrete slab at the northeast corner of the field, and holds used oil from large ships. Vent pipes for the tank are seen at the end of the field. An alarm panel is located nearby. The tank is also double-walled and has a high-level alarm and leak detection.

The MAT Shop

The spent bead blast powder, mentioned in the 90-day area section, was generated here. The shop personnel recounted that the spent bead blast from the paint-blasting machine was brought to the 90-day area for disposal.

The Armory

The facility was locked and closed and was not inspected.

Notes: Mr. Perkins and Mr. Alberto Delgardo, the Hazardous Waste Coordinator, were present at all times when the inspectors examined the containers and labels. They were shown and concurred with the noted discrepancies.

RECORD REVIEW

Biennial Report

The 1993 biennial report was reviewed. No potential violations were noted.

Waste Analyses/Profiles

The Waste Stream Profiles were reviewed. No potential violations were noted.

Manifests/Land Disposal Restriction (LDR) Notifications

The return copies for manifests #93701990 (dated 4/25/95), 93410347 (dated 4/5/95), 95244500 (dated 3/29/95), and 93322978 (dated 3/10/95) were missing from the manifest files. Efforts to locate them were unsuccessful. No attempts were made to contact the designated facility after 35 days of the shipment date or to notify the DTSC after 45 days of the shipment date. Except for one copy attached to a 1993 manifest, no LDR Notifications were found.

Contingency Plan

The Spill Prevention, Control, and Countermeasure Plan, and the RCRA Contingency Plan, Appendix N, were reviewed. No potential violations were noted.

Inspection Records

The inspection logs from January through May 1995 were reviewed. The logs showed that the tanks were inspected on a weekly basis. This included the 1,000-gallon used oil AST, even when in use. Mr. Perkins stated that he checked tank levels weekly or whenever oil was added or removed. The 90-day storage area is also inspected weekly.

Tank Testing Data

The tank tightness testing data were reviewed. No potential violations were noted.

Training Records

The training records for Mr. Perkins were reviewed. There were no documents describing the type and amount of training required for his position.

The Status of Used Oil In California

In a letter to the EPA on 6/21/95, Mr. Cashin stated that in accordance with Title 40 CFR 261.6, 279.22 (c)(1)(2), and California Health & Safety (H & S) Code 25143.9, used oil is not a hazardous waste and shall be labeled "Used Oil - Excluded Recyclable Material". This is an erroneous interpretation of the regulations. In California, unless the used oil meets certain criteria, it is classified and managed as a hazardous waste (see Attachment 5 for a detailed explanation - the same information was forwarded to the facility on 8/11/95).

It should be noted that California is in the process of reviewing and possibly adopting the provisions in Title 40 CFR 279 for management of used oil. To stay in compliance, the facility should contact the DTSC, Region 3 for the latest developments.

POTENTIAL VIOLATIONS

1. General Labeling

22 CCR 66262.34 (f)(3)

While being accumulated on-site, each container and tank shall be labeled or marked clearly with the words "Hazardous Waste".

The following containers and tank did not have any labels or marking with the words "Hazardous Waste": The drum containing an ignitable soap waste, the drum containing the spent bead blast, and the 300-gallon bowser containing used oil in the 90-day hazardous waste storage area; the two drums containing uncrushed, used oil filters inside the Machinery & Rigging shop; and the 1,000-gallon AST containing used oil at the Small Boat Station.

22 CCR 66262.34 (f)(1)

The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container.

There were no accumulation start dates on the following containers and tank: all the drums, bowser, and tank listed above; the two drums containing used oil outside the Machinery & Rigging shop; and the drum containing used oil under the filter crusher in the 90-day storage area.

22 CCR 66262.34 (f)(3)(A)(B)

In addition to being labeled with the words "Hazardous Waste", all containers and portable tanks shall be labeled with: (A) composition and physical state of the wastes; (B) statement or statements calling attention to the particular hazardous properties of the waste (e.g., flammable, reactive, etc.).

The two drums containing used oil outside the Machinery & Rigging shop had labels that did not contain the information required above.

2. Open Containers

22 CCR 66265.173 (a)

A container holding hazardous waste shall always be closed during transfer and storage, except when it is necessary to add or remove waste.

The following containers were open during storage with funnels still left in their bungholes: the drum containing used oil under the filter crusher in the 90-day storage area; and one of the drums containing used oil at the Machinery & Rigging shop.

3. Waste Determination

22 CCR 66262.11

A person who generates a solid waste, as defined in section 66261.2, shall determine if that waste is a hazardous waste, as detailed in 66262.11, by:

(a) first determining if the waste is excluded from regulation;

(b) then determining if the waste is listed as a hazardous waste in article 4 of chapter 11 or in Appendix X of chapter 11. If the waste is listed in Appendix X and is not listed in article 4, the generator may make the determination by:

(1) testing the waste according to methods set forth in article 3 of chapter 11, or an approved equivalent method.

(2) applying knowledge of the hazard characteristic of the waste based on the materials or the processes used and the characteristics set forth in article 3 of chapter 11.

(c) for purposes of compliance with chapter 18 (starting with section 66268.1), or if the waste is not listed as hazardous waste in article 4 (starting with section 66261.30) or in Appendix X, the generator shall determine whether the waste exhibit any of the characteristics in article 3 of chapter 11 by using either procedure provided in subsection (b) above.

The facility did not make any attempt to determine whether the spent bead blast in the 90-day storage area was a hazardous waste. The waste was stored in an unlabeled drum and was originally mistakenly identified by Mr. Perkins as "some kind of solvent". The analysis was conducted only after the inspectors requested it.

4. Shipment of Waste Without A Manifest

22 CCR 66262.20 (a)

A generator who offers for transportation hazardous waste for off-site transfer, treatment, or disposal shall prepare a Manifest before the waste is transported off-site.

The facility did not prepare or obtain manifests before offering waste solvents to Safety Kleen for transportation off-site. Because of its large quantity generator status, the facility is not qualified for the Title 22 CCR 66263.42 Milkrun variance, which allows the transporter to provide invoices instead of manifests.

5. Manifests Without Return Copies

22 CCR 66262.42 (a)

A generator who does not receive a return copy of the manifest from the designated facility within 35 days of the initial shipment date shall contact the designated facility to determine the status of the hazardous waste.

The facility did not have return copies for manifests #93701990 (dated 4/25/95), 93410347 (dated 4/5/95), 95244500 (dated 3/29/95), and 93322978 (dated 3/10/95) at the time of the inspection. No efforts were made to contact the designated facility after 35 days of the shipment date.

In the 6/21/95 letter to the EPA, the facility submitted return copies of the above manifests.

22 CCR 66262.42 (b)

A generator who has not received a return copy of the manifest from the designated facility within 45 days of the initial shipment date shall submit an Exception Report to the DTSC.

The facility did not submit Exception Reports for manifests #9341037, 95244500, and 93322978.

6. LDR Notifications

22 CCR 66268.7 (a)(7)

Generators shall retain on-site a copy of all notices, certifications, demonstrations, waste analysis data and other documentation produced pursuant to this section for at least five years from the date the waste was last sent to on-site or off-site treatment, storage, or disposal.

The facility did not have any copies of LDR Notifications at the

time of the inspection, except for one attached to a 1993 manifest. The facility representatives said that these were kept at the treatment, storage, and disposal (TSD) facilities.

In a letter to the EPA on 7/18/95, the facility stated that two-thirds of the Notification copies have been obtained from various TSD facilities.

7. Tank Inspections

22 CCR 265.195 (a)

The owner or operator (generator in this case) must inspect, where present, at least one each operating day: (1) overfill/spill control equipment; (2) the aboveground portions of the tank system to detect corrosion or waste releases; (3) data from monitoring equipment and leak-detection equipment; (4) the construction materials and the area immediately surrounding the externally accessible portion of the tank system including secondary containment structures.

The facility only conducted weekly inspections of the 1,000-gallon AST containing used oil, even when the tank was in operation.

8. Personnel Training

40 CFR 265.16 (d)(3)
22 CCR 66265.16 (d)(3)

The owner or operator (generator in this case) must maintain at the facility a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position relating to hazardous waste management.

The facility did not have a document describing the type and amount of training required for Mr. Perkins' position.

ATTACHMENTS

(1) Photographs (#1 - 5)

(2) Facility Map

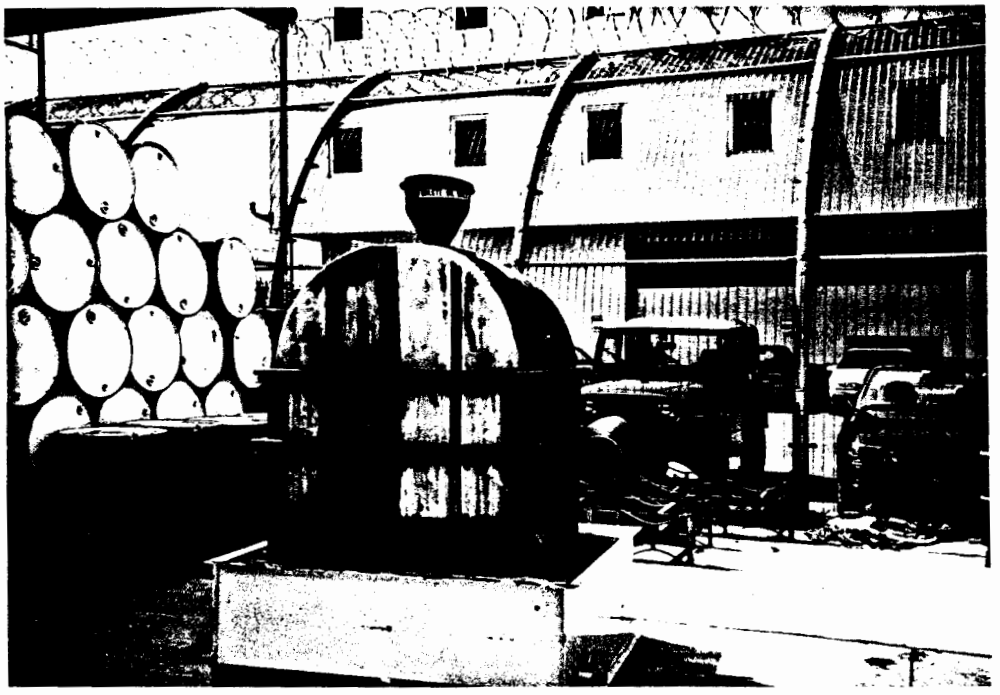
(3) MSDS Excerpt for Corrosive Soap

(4) Analytical Results for Spent Bead Blast

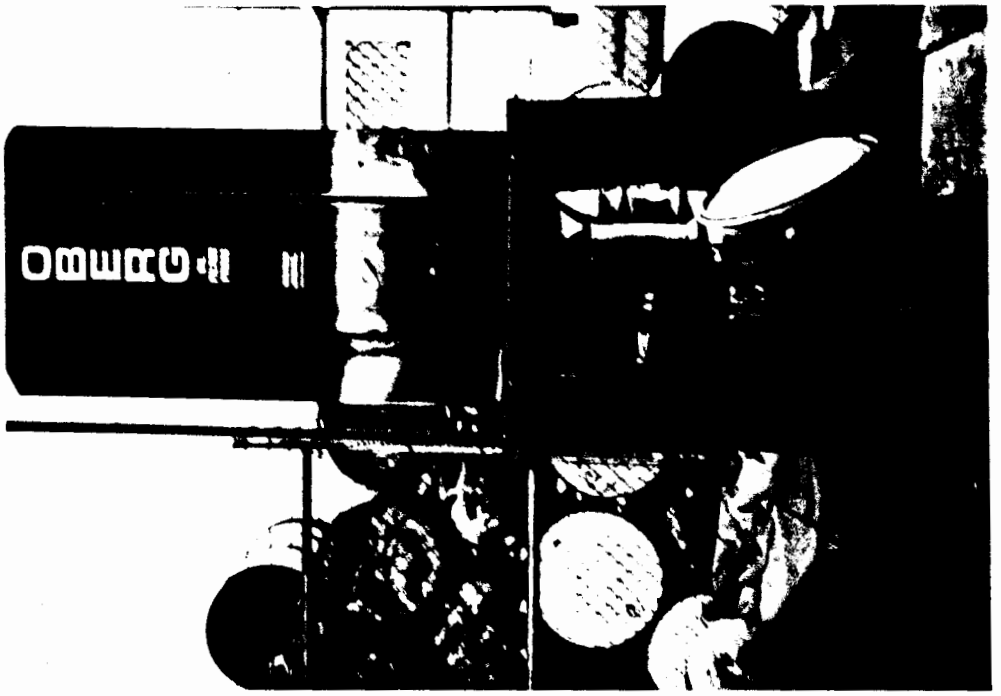
(5) Used Oil Explanation

ATTACHMENT 1

1. The 90-day Hazardous Waste Storage Area

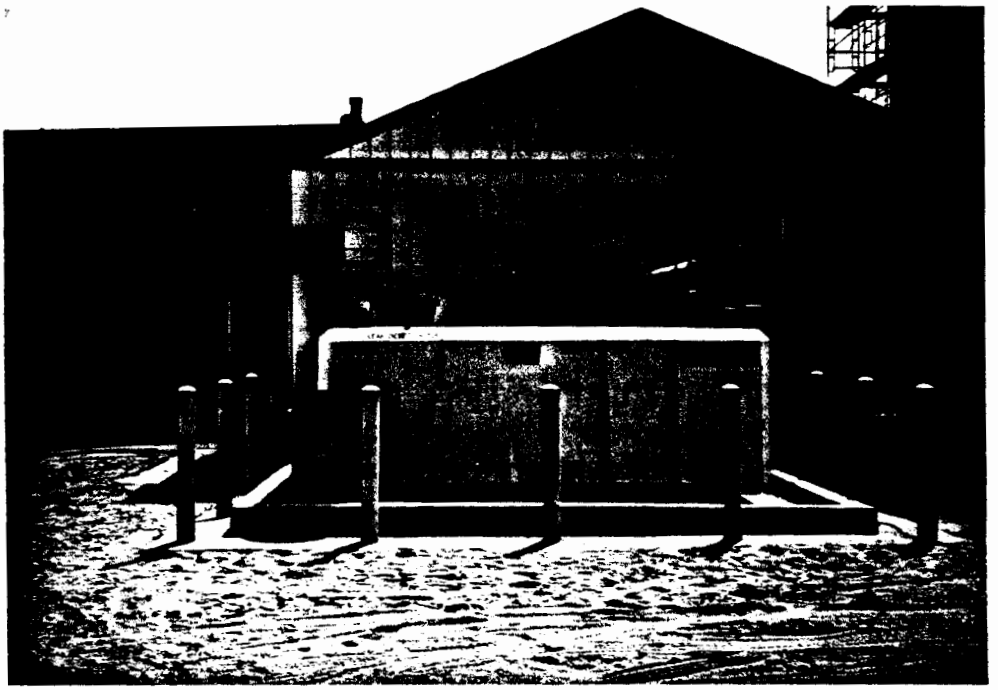


2. The 300-Gallon Bowser Containing Used Oil



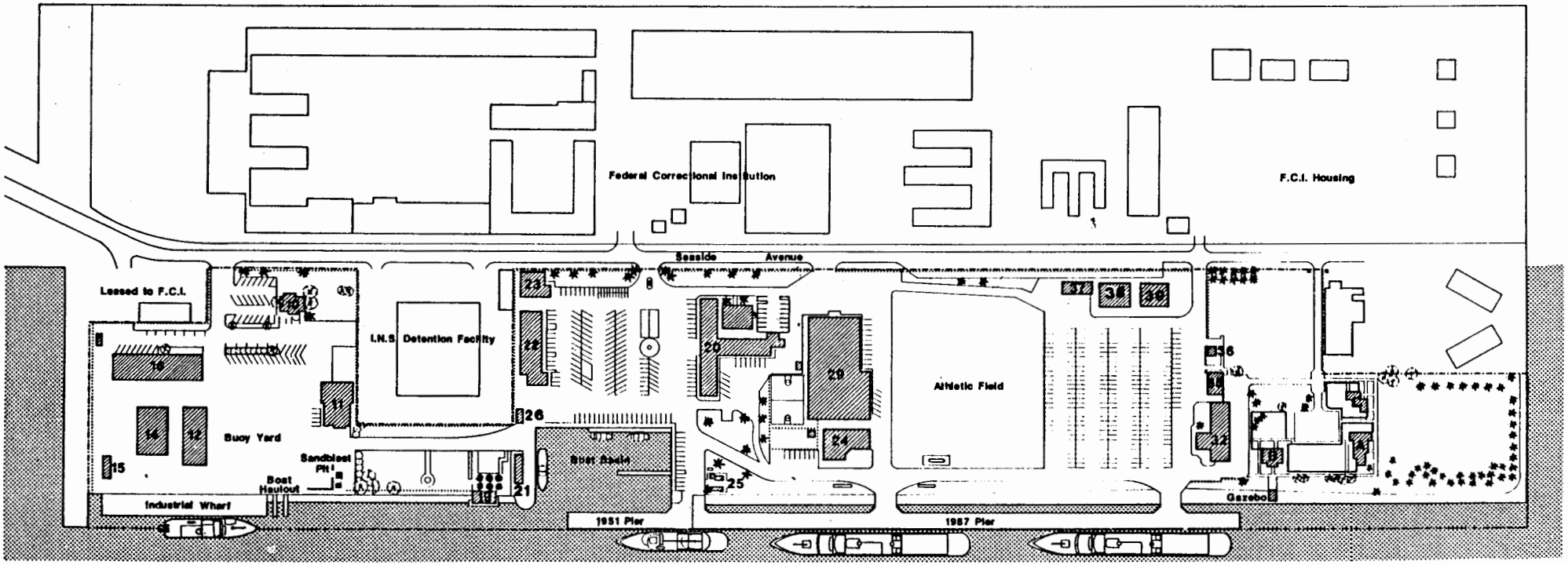
3. Drum Containing Used Oil Under Oil Filter Crusher

4. Two Drums Containing Used Oil Outside The Machinery & Rigging Shop



5. The 1000-Gallon Tank Containing Used Oil at The Small Boat Station

ATTACHMENT 2



10	Office (Industrial)	25	Magazine
11	MAT Building	26	LE Det. Trailer
12	Carpenter/Paint Shop	29	Warehouse/Supply/Armory
14	Machine Shop	32	Personnel Reporting Unit
15	Locker Room/ANT Shop	35	Garage
16	Electric/Electronic Shop	36	Ground Shed
19	Pavilion	37	Classroom
20	Admin/BEQ/Galley	38	Staff Building
21	WPB Trailer	39	Administration
22	Station Building	A	Flag Quarters
23	Fitness Center	B	Chief of Staff Quarters
24	NAFA Building	C	Senior Officer Quarters

Existing Base Site Plan

United States Coast Guard
Support Center San Pedro

Figure VI-1-1

ATTACHMENT 3

(20)

Fax Transmittal Memo 7672

To: Richard Malinke | From: Cal Tek/Clen Safe
Company: Coast Guard | Company:
Location: | Location: | Dept. Charge:
Fax #: 310-514-6348 | Telephone #: 310-514-6418 | Fax #: 209-848-8101 | Telephone #: 848-8100
Comments: | Original Disposition: ☐ Destroy ☐ Return ☐ Call for pickup

MATERIAL SAFETY DATA SHEET

PRODUCT NAME: STEAMITE REGULAR

CAL-TEK INDUSTRIES
1833 N. EASTERN AVE.
LOS ANGELES, CA 90032
213-268-5137

I. HAZARDOUS INGREDIENTS:

COMPONENT(S)	WT %	CAS NO.	EXPOSURE LIMITS IN AIR ACGIH-TLV	OSHA-PEL
Secondary Butyl Alcohol	2-6	78-92-2	100 ppm	150 ppm
Monoethanolamine	*	141-43-5	3 ppm	3 ppm

*Not listed as a Toxic Chemical on SARA Title III: Section 313, Toxic Chemical List; therefore, the disclosure of weight % information is not required

Where applicable, PEL values listed are TWA Final Rule Limits 1989. If no final rule limit exists, the transitional rule limit is listed.

II. PHYSICAL DATA

SPECIFIC GRAVITY: 0.986
BOILING POINT: 212°F
VAPOR PRESSURE: 23.7 mmHg
VAPOR DENSITY(AIR=1): >1
ODOR: Sweet
APPEARANCE: Red Liquid

pH: 10
MELTING POINT: N/D
EVAPORATION RATE(WATER=1): <1
SOLUBILITY IN WATER: Complete

III. FIRE AND EXPLOSION

FLASH POINT:	125° F	>212°F
METHOD USED:	P.M.C.C.	C.O.C.

AUTOIGNITION TEMPERATURE: N/D
FLAMMABLE LIMITS: UPPER:N/D LOWER:N/D
EXTINGUISHING MEDIA: Dry Chemical, CO_2, Foam, Water Spray

FIRE AND EXPLOSION HAZARDS: Vapors are heavier than air and may travel to other ignition sources and flash back.

SPECIAL FIRE FIGHTING PROCEDURES:
Wear goggles and self-contained breathing apparatus. Use water to keep fire-exposed containers cool and to flush spills away from fire. In the case of large fires cool equipment and structures with water. Product may foam with direct contact with high pressure water.

IV. REACTIVITY

STABILITY: Stable

CONDITIONS TO AVOID: Heat, sparks, flames, ignition sources, elect. arcs

HAZARDOUS POLYMERIZATION: Will not occur

SKIN CONTACT: Prolonged or repeated contact may irritate and dry the skin.

SKIN ABSORPTION: Prolonged or repeated contact may result in the absorption of harmful amounts with some susceptible individuals.

EYE CONTACT: Liquid and mists may irritate the eye. Prolonged contact may result in damage to the eye.

SWALLOWED: May irritate mouth and throat.

SYSTEMIC AND OTHER EFFECTS: Repeated excessive exposures may result in some effect to the kidney and liver.

MEDICAL CONDITIONS AGGRAVATED: Repeated excessive exposure may aggravate asthma and inflammatory or fibrotic pulmonary disease. Repeated or prolonged contact may aggravate existing dermatitis.

SUSPECTED CANCER AGENT: FEDERAL OSHA--NO
CALIF OSHA---NO
NTP-----NO
IARC-----NO

This product does not contain a chemical known to the State of California to cause birth defects or cancer.

VII. FIRST AID

INHALATION:
Remove affected person to fresh air at once. If not breathing, give artificial respiration. Seek medical attention.

SKIN:
Wash skin with water. If clothes and shoes are contaminated, remove and launder before reuse. Seek medical attention if ill effect or irritation develops. Leather footwear/clothing may have to be discarded.

EYES:
Wash eyes immediately with running water for at least 15 minutes. Gently lift eyelids to assure that the complete eye surface is washed. Seek medical attention.

SWALLOWED:
DO NOT INDUCE VOMITING. If vomiting spontaneously occurs, do not allow vomitus to be breathed into the lungs (Keep head below the hips). Call a physician and/or transport to emergency medical facility immediately. The decision of whether to induce vomiting or not should be made by a physician. If lavage is performed, suggest endotracheal and/or esophageal control. Danger from lung aspiration must be weighed against toxicity when considering emptying the stomach.

NOTE TO PHYSICIAN: See above.
Supportive care: Treatment based on judgement of physician in response to reactions of patient.

VIII. HANDLING PRECAUTIONS:

VENTILATION:
Control airborn concentrations below exposure guidelines (Section I) with MECHANICAL VENTILATION if necessary. Local exhaust ventilation may be necessary for some operations.

INCOMPATIBILITY: Strong oxidizing, reducing agents, acids, copper, galvanized iron. May react with aluminum above 140° F.

HAZARDOUS DECOMPOSITION PRODUCTS: Organic compounds and Smoke, Carbon Monoxide and Dioxide, and Oxides of Nitrogen.

V. ENVIRONMENTAL AND DISPOSAL INFORMATION:

ACTION TO TAKE FOR SPILLS/LEAKS

CAUTION:
Use appropriate protective and safety equipment. See Section VIII for handling precautions.

SMALL SPILL:
Mop or soak up with absorbent towel, mop, or material. Transfer to a DOT approved polyethylene container.

LARGE SPILL:
Contain spill with absorbent material. Prevent runoff from entering storm drains, surface water, and soil. Transfer (pump) into a DOT approved polyethylene container.

WASTE DISPOSAL INFORMATION:
Consult appropriate Federal, State, and local regulatory agencies to ascertain proper disposal procedures. Comply with all applicable government regulations on spill reporting and handling and disposal of waste. Empty containers can have residues, gases, and mists, and are subject to proper waste disposal.

VI. HEALTH HAZARD DATA:

PRIMARY ROUTES OF EXPOSURE: INHALATION, DERMAL, EYE CONTACT

INHALATION: Not expected to be a problem under normal conditions. Heated material may generate vapors and mists which may irritate the nose and throat: Prolonged or repeated contact may cause headaches, nausea, vomiting, coughing, and central nervous system depression.

SKIN CONTACT: Prolonged or repeated contact may irritate and dry the skin.

SKIN ABSORPTION: Prolonged or repeated contact may result in the absorption of harmful amounts with some susceptible individuals.

EYE CONTACT: Liquid and mists may irritate the eye. Prolonged contact may result in damage to the eye.

SWALLOWED: May irritate mouth and throat.

RESPIRATORY PROTECTION:
Atmospheric levels should be maintained below exposure guidelines. When respiratory protection is required for certain operations, use a NIOSH APPROVED canister type respirator. In confined or poorly ventilated areas or for emergency and other conditions where the exposure guidelines may be greatly exceeded, use a NIOSH approved positive pressure, self-contained breathing apparatus.

EYE PROTECTION:
Contact lenses should not be worn; they will contribute to the severity of an eye injury. Safety glasses are recommended, but where a splash contact with liquid could occur, chemical goggles or face shield is recommended.

SKIN PROTECTION:
Rubber gloves are recommended. With prolonged or repeated contact, use protective clothing such as boots and rubber apron. Wash protective clothing after contact and between uses.

OTHER EQUIPMENT:
Safety showers, eye wash fountains, proper fire extinguishing media: nearby and ready for use.

IX. STORAGE AND HANDLING

Train all employees on all special handling procedures in this section-before they work with this product. Exercise reasonable care and caution. Personnel should avoid breathing vapors and/or mists, and getting the product on the skin or in the eyes. DO NOT consume food, drink, or tobacco in areas where they may become contaminated with this material. Wash hands and face after handling to prevent ingestion of small amounts.
Keep containers cool, dry, and away from sources of ignition. DO NOT store product in direct sunlight, temperatures over 100 °F or under 35 °F. Keep product in closed container when not in use. Protect containers from physical damage. Use and store with adequate ventilation.
DO NOT cut, grind, weld or drill on or near this container. Ground all electrical equipment. Wash thoroughly after using.
Concentrated vapors of this product are heavier than air and will collect in low areas such as pits, degreasers, storage tanks, and confined areas. DO NOT enter these areas where vapors of this product are suspected unless special breathing apparatus is used and an observer similarly equipped is present for assistance.
DO NOT force product from storage container with air pressure. Storage container exposed to extremely hot weather may have to be vented to relieve pressure.

Do not use Sodium Nitrite or other nitrosating agents with this product. Suspected cancer causing nitrosamine could be formed.

X. DOT:
PROPER SHIPPING NAME: Compound, Cleaning, Liquid
HAZARD CLASS: NON-HAZARDOUS
ID NUMBER: N/A

XI. HAZARD RATING

HEALTH:	1
FIRE:	2
REACTIVITY:	0
SPECIAL:	NONE

HAZARD RATING SCALE
0 = MINIMAL
1 = SLIGHT
2 = MODERATE
3 = SERIOUS
4 = SEVERE

XII. NAME OF PREPARER:

Douglas R. Pomeroy

Douglas R. Pomeroy

DATE PREPARED: 2-19-91

ABBREVIATIONS:
N/A:Not Applicable
N/D:Not Determined
> :More Than
< :Less Than

The information provided in this Material Safety Data Sheet has been obtained from sources believed to be reliable. Cal-Tek Ind. provides no warranties, either expressed or implied and assumes no responsibility for the accuracy or completeness of the data contained herein. This data is offered for your information, consideration and investigation. You should satisfy yourself that you have all current data relevant to your particular use. Cal-Tek Industries knows of no medical condition, other than those noted on this material safety data sheet, which are generally recognized as being

ATTACHMENT 4

ASSOCIATED LABORATORIES
806 North Batavia - Orange, California 92668 - 714/771-6900 FAX 714/538-1209

CLIENT

US Coast Guard Support Center (6240)
Attn: Curry Perkins
1001 S. Seaside Ave
San Pedro, CA 90731

LAB NO. G91875-01

REPORTED 07/03/95

SAMPLE Sand Blast Grit

IDENTIFICATION Date Collected 06/16/95

BASED ON SAMPLE As Submitted

RECEIVED 06/16/95

CAM INORGANICS	LIMITS TTLC (mg/kg)	STLC (mg/l)	EPA Method	Date/Analyst	TTLC (mg/kg)
Antimony	500	15	6010	06/20/95 LB	16.9
Arsenic	500	5.0	6010	06/20/95 LB	ND< 0.4
Barium	10,000	100	6010	06/20/95 LB	296
Beryllium	75	0.75	6010	06/20/95 LB	1.94
Cadmium	100	1.0	6010	06/20/95 LB	13.0
Chromium, Hex.	500	5	7196	06/19/95 HK	2.32
Chromium, Total	2,500	560	6010	06/20/95 LB	2,480
Cobalt	8,000	80	6010	06/20/95 LB	44.0
Copper	2,500	25	6010	06/20/95 LB	654
Fluoride	18,000	180	340.2	06/19/95 HK	4.89
Lead	1,000	5.0	6010	06/20/95 LB	237
Mercury	20	0.2	7470	06/19/95 NV	ND< 0.07
Molybdenum	3,500	350	6010	06/20/95 LB	9.10
Nickel	2,000	20	6010	06/20/95 LB	850
Selenium	100	1.0	6010	06/20/95 LB	ND< 0.4
Silver	500	5	6010	06/20/95 LB	ND< 2
Thallium	700	7.0	6010	06/20/95 LB	ND< 0.4
Vanadium	2,400	24	6010	06/20/95 LB	29.1
Zinc	5,000	250	6010	06/20/95 LB	6,750

ASSOCIATED LABORATORIES, by:

Edward S. Behare, Ph.D.
Vice President

ESB/ql

NOTE: Unless notified in writing, all samples will be discarded by appropriate disposal protocol 30 days from date reported.

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C-1 10M

ATTACHMENT 5

STATUS OF USED OIL IN CALIFORNIA

The first thing to keep in mind is that California has an EPA-authorized RCRA program. As a result, its hazardous waste statutes and regulations are effective in the State in lieu of those in the Federal program. Provisions in the California Health & Safety Code (H & S) are statutes or law. Provisions in Title 22 California Code of Regulations (CCR) are regulations designed bring compliance with the law.

It is stated clearly in H & S Code 25250.4 that used oil shall be managed as a hazardous waste with the requirements of this chapter, until it has been shown to meet the requirements of Section 25250.1 (e), or is excluded from regulation as a hazardous waste per Section 25143.2. (See attachment for copies of these sections.)

Requirement #1

Section 25250.1 (e) states that used oil, which meets the standards of 25250.1 (c) and is not mixed with any hazardous waste listed in Title 40 Federal Code of Regulations (CFR) Part 261, is not regulated by California.

Section 25250.1 (c) refers to "recycled" oil, which is produced from used oil and prepared for reuse, and which achieves minimum standards of purity. These include flashpoint, lead, arsenic, chromium, cadmium, total halogens, and PCBs (see attachment for specific standards).

Since the used oil on the base is only accumulated in storage for recycling and has not been recycled to achieve the minimum standards of purity, it does not meet requirement #1 for exclusion.

Requirement #2

Section 25143.2 states that, except as otherwise provided in 25143.2 (e), (f), and (g), recyclable material which is managed in accordance with 25143.9 and is or will be recycled by any of the following methods shall be excluded from classification as a waste:

(1) Used or reused as an ingredient in an industrial process to make a product, if the material is not being reclaimed.

(2) Used or reused as a safe and effective substitute for commercial products, if the material is not being reclaimed.

(3) Returned to the original process from which the material was

generated, without first being reclaimed, if the material is returned as a substitute for raw material feedstock, and the process uses raw materials as principal feedstocks.

The operative phase here is "not being reclaimed". Per Title 22 CCR 66260.10, "reclaimed" means that the material is processed to recover a usable product, or that it is regenerated. Bonnie Booth, a representative of the Demenno/Kerdoon Company, the facility's used oil recycler, stated in a telephone conversation on 8/11/95 that the use oil is re-refined by a standard vacuum-distillation process to recover a product that can be sold as a marine diesel oil; distillation bottoms are sold to be mixed with tar or asphalt. The representative confirmed that the used oil was essentially reclaimed by this process.

Therefore, the used oil generated by the facility does not meet requirement #2 for exclusion either. As a result, it must be managed as a hazardous waste with all applicable Title 22 CCR requirements.

Because California in the process of rewriting its used oil regulations, the status of used oil is in a state of flux. It will be some time before the final decision is known. For now, to ensure compliance in California, the facility must manage used oil as a hazardous waste; this entails labeling, manifesting, container inspection, etc. per Title 22 CCR. Specifically, the facility should not label or mark containers with the words "Excluded Recyclable Material".

25143.2. (a) Recyclable materials are subject to the requirements of this chapter and the regulations adopted by the department to implement this chapter which apply to hazardous wastes, unless the department issues a variance pursuant to Section 25143, or except as provided otherwise in subdivision (b), (c), or (d) or the regulations adopted by the department pursuant to Sections 25150 and 25151. For the purposes of this section, recyclable material does not include infectious waste.

(b) Except as otherwise provided in subdivisions (e), (f), and (g), recyclable material which is managed in accordance with Section 25143.9 and is or will be recycled by any of the following methods shall be excluded from classification as a waste:

(1) Used or reused as an ingredient in an industrial process to make a product, if the material is not being reclaimed.

(2) Used or reused as a safe and effective substitute for commercial products, if the material is not being reclaimed.

(3) Returned to the original process from which the material was generated, without first being reclaimed, if the material is returned as a substitute for raw material feedstock, and the process uses raw materials as principal feedstocks.

(c) Except as otherwise provided in subdivision (e), any recyclable material may be recycled at a facility which is not authorized by the department pursuant to the applicable hazardous waste facilities permit requirements of Article 9 (commencing with Section 25200) if either of the following requirements is met:

(1) The material is a petroleum refinery waste containing oil which is converted into petroleum coke at the same facility at which the waste was generated, unless the resulting coke product would be identified as a hazardous waste under this chapter. A waste subject to this paragraph is exempt from this chapter to the same extent the waste is exempt from subsections (q), (r), and (s) of Section 6924 of Title 42 of the United States Code.

(2) The material meets all of the following conditions:

(A) The material is recycled and used at the same facility at which the material was generated.

(B) The material is recycled within 90 days of its generation.

(C) The material is managed in accordance with all applicable requirements for generators of hazardous wastes under this chapter and regulations adopted by the department.

(d) Except as otherwise provided in subdivisions (e), (f), (g), and (h), recyclable material which meets the definition of a non-RCRA hazardous waste in Section 25117.9, is managed in accordance with Section 25143.9, and meets or will meet any of the following requirements is excluded from classification as a waste:

(1) The material can be shown to be recycled and used at the site where the material was generated.

(2) The material qualifies as one or more of the following:

(A) The material is a product, which has been processed from a hazardous waste, or which has been handled, at a facility authorized by the department pursuant to the facility permit requirements of Article 9 (commencing with Section 25200) to process or handle the material, if the product meets both of the following conditions:

(i) The product does not contain constituents, other than those for which the material is being recycled which render the material hazardous under regulations adopted pursuant to Sections 25140 and 25141.

(ii) The product is used, or distributed or sold for use, in a manner for which the product is commonly used.

(B) The material is a petroleum refinery waste containing oil which is converted into petroleum coke at the same facility at which the waste was generated, unless the resulting coke product would be identified as a hazardous waste under this chapter.

(C) The material is oily waste, used oil, or spent nonhalogenated solvent which is managed by the owner or operator of a refinery which is processing primarily crude oil and which is not subject to permit requirements for recycling of used oil, or a public utility, or a corporate subsidiary, corporate parent, or subsidiary of the same corporate parent of the refinery or public utility, and which meets all of the following requirements:

(i) The material is either burned in an industrial boiler, an industrial furnace, an incinerator, or a utility boiler which complies with all applicable federal and state laws, or is recombined with normal process streams to produce a fuel.

(ii) The material is managed at the site where it was generated; managed at another site owned or operated by the generator, a corporate subsidiary of the generator, a subsidiary of the same entity of which the generator is a subsidiary, or the corporate parent of the generator; or, if the material is generated in the course of oil or gas exploration or production, managed by an unrelated refinery receiving the waste through a common pipeline.

(iii) The material does not contain constituents other than those for which the material is being recycled which render the material hazardous under regulations adopted pursuant to Sections 25140 and 25141.

(D) The material is a fuel which is removed from a fuel tank, is either contaminated with water or by nonhazardous debris, of not more than 2 percent by weight, including, but not limited to, rust or sand, or a fuel unintentionally mixed with an unused petroleum product, and is transferred to, and processed into a fuel at, a refinery which processes primarily crude oil.

(3) The material is transported between locations operated by the same person who generated the material, if the material is recycled at the last location operated by that person and all of the conditions of clauses (i) to (vi), inclusive, of subparagraph (A) of paragraph (4) are met. If requested by the department or by any law enforcement official, a person handling material subject to this paragraph shall, within 15 days of the request, supply documentation to show that the requirements of this paragraph have been satisfied.

(4) (A) The material is transferred between locations operated by the same person who generated the material, if the material is to be recycled at an authorized offsite hazardous waste facility and if all of the following conditions are met:

(i) The material is transferred by employees of that person in vehicles under the control of that person or by a registered hazardous waste hauler under contract to that person.

(ii) The material is not handled at any interim location.

(iii) The material is not held at any publicly accessible interim location for more than four hours unless required by other provisions of law.

(iv) The material is managed in compliance with the requirements of this chapter and the regulations adopted pursuant to this chapter prior to the initial transportation of the material and after the receipt of the material at the last location operated by that person. Upon receipt of the material at the last location operated by that person, the material shall be deemed to have been generated at that location.

(v) All of the following information is maintained in an operating log at the last location operated by that person:

(I) The name and address of each generator location contributing material to each shipment received.

(II) The quantity and type of material contributed by each generator to each shipment of material.

(III) The destination and intended disposition of all material shipped offsite or received.

(IV) The date of each shipment received or sent offsite.

The log shall be kept for at least three years after receipt of the material at that location.

(vi) If requested by the department, or by any law enforcement official, a person handling material subject to this paragraph shall, within 15 days of the request, supply documentation to show that the requirements of this paragraph have been satisfied.

(B) For purposes of paragraph (3) and subparagraph (A) of paragraph (4), "person" also includes corporate subsidiary, corporate parent, or subsidiary of the same corporate parent.

(C) Persons which are a corporate subsidiary, corporate parent, or subsidiary of the same corporate parent, and which manage recyclable materials under paragraph (3) or subparagraph (A) of paragraph (4), are jointly and severally liable for any activities excluded from regulation pursuant to this section.

(5) The material is used or reused as an ingredient in an industrial process to make a product, if the material is not being treated before introduction to that process except by one or more of the following procedures, and if any discharges to air from the following procedures do not contain constituents which are hazardous wastes pursuant to the department's regulations and comply with applicable air pollution control laws:

(A) Filtering.

(B) Screening.

(C) Sorting.

(D) Sieving.

(E) Grinding.

(F) Physical or gravity separation, without the addition of external heat or any chemicals.

(G) pH adjustment.

(H) Viscosity adjustment.

(6) The material is used or reused as a safe and effective substitute for commercial products, if the material is not being treated except by one or more of the following procedures, and if any discharges to air from the following procedures do not contain constituents which are hazardous wastes pursuant to the department's regulations and comply with applicable air pollution control laws:

(A) Filtering.

(B) Screening.

(C) Sorting.

(D) Sieving.

(E) Grinding.

(F) Physical or gravity separation, without the addition of external heat or any chemicals.

(G) pH adjustment.

(H) Viscosity adjustment.

(7) The material is a chlorofluorocarbon or hydrochlorofluorocarbon compound or a combination of chlorofluorocarbon or hydrochlorofluorocarbon compounds, is being reused or recycled, and is used in heat transfer equipment, including, but not limited to, mobile air conditioning systems, mobile refrigeration, and commercial and industrial air conditioning and refrigeration systems, used in fire extinguishing products, or contained within foam products.

(e) Notwithstanding subdivisions (b), (c), and (d), all of the following recyclable materials are hazardous wastes and subject to full regulation under this chapter, even if the recycling involves use, reuse, or return to the original process as described in subdivision (b), or even if the recycling involves activities or materials described in subdivisions (c) and (d):

(1) Materials which are a RCRA hazardous waste, as defined in Section 25120.2, used in a manner constituting disposal, or used to produce products that are applied to the land including, but not limited to, materials used to produce a fertilizer, soil amendment, agricultural mineral, or an auxiliary soil and plant substance.

(2) Materials which are a non-RCRA hazardous waste, as defined in Section 25117.9, and used in a manner constituting disposal or used to produce products that are applied to the land as a fertilizer, soil amendment, agricultural mineral, or an auxiliary soil and plant substance. The department may adopt regulations to exclude materials from regulation pursuant to this paragraph.

(3) Materials burned for energy recovery, used to produce a fuel, or contained in fuels, except materials exempted under paragraph (1) of subdivision (c) or excluded under subparagraph (B), (C), or (D) of paragraph (2) of subdivision (d).

(4) Materials accumulated speculatively.

(5) Materials determined to be inherently wastelike pursuant to regulations adopted by the department.

(6) Used or spent etchants, stripping solutions, and plating solutions, which are transported to an offsite facility operated by a person other than the generator and which are either of the following:

(A) The etchants or solutions are no longer fit for their originally purchased or manufactured purpose.

(B) If the etchants or solutions are reused, the generator and the user cannot document that they are used for their originally purchased or manufactured purpose without prior treatment.

(7) Used oil, as defined in subdivision (a) of Section 25250.1, unless one of the following applies:

(A) The used oil is excluded under subparagraph (B) or (C) of paragraph (2) of subdivision (d) or under paragraph (4) of subdivision (d) of this section, under subdivision (e) of Section 25250.1, or under Section 25250.3.

(B) The used oil is used or reused on the site where it was generated or is excluded under paragraph (3) of subdivision (d) of this section and, in either situation, is not any of the following:

(i) Used in a manner constituting disposal or used to produce a product that is applied to land.

(ii) Burned for energy recovery or used to produce a fuel, unless the used oil is excluded under subparagraph (B) or (C) of paragraph (2) of subdivision (d).

(iii) Accumulated speculatively.

(iv) Determined to be inherently wastelike pursuant to regulations adopted by the department.

(f) (1) Any person who manages a recyclable material under a claim that the material qualifies for exclusion or exemption pursuant to this section shall provide, upon request, to the department, the Environmental Protection Agency, or any local agency or official authorized to bring an action as provided in Section 25180, all of the following information:

(A) The name, street and mailing address, and telephone number of the owner or operator of any facility that manages the material.

(B) Any other information related to that person's management of the material requested by the department, the Environmental Protection Agency, or the authorized local agency or official.

(2) Any person claiming an exclusion or an exemption shall maintain adequate records to demonstrate to the satisfaction of the requesting agency or official that there is a known market or disposition for the material, and that the requirements of any exemption or exclusion pursuant to this section are met.

(3) For purposes of determining that the conditions for exclusion from classification as a waste pursuant to this section are met, any person, facility, site, or vehicle engaged in the management of a material under a claim that the material is excluded from classification as a waste pursuant to this section shall be subject to Section 25185.

(g) For purposes of Chapter 6.8 (commencing with Section 25300), recyclable materials excluded from classification as a waste pursuant to this section are not excluded from the definition of hazardous substances in subdivision (g) of Section 25316.

(h) Used oil that fails to qualify for exclusion pursuant to subdivision (d) solely because the used oil is a RCRA hazardous waste, may be managed pursuant to subdivision (d) if the used oil is also managed in accordance with Part 260 (commencing with Section 260.1) to Part 270 (commencing with Section 270.1), inclusive, of Subchapter I of Chapter 1 of Title 40 of the Code of Federal Regulations.

(Amended by Stats. 1992, Ch. 1344)

25143.3. The Environmental Protection Agency regulations regarding spent sulfuric acid as set forth in Section 261.4 (a) (7) of Title 40 of the Code of Federal Regulations (50 Fed. Reg 665) are the regulations of the department and shall remain in effect until the department adopts regulations regarding this subject. It is the intent of the Legislature that the regulations adopted by the department be at least equivalent to, and in substantial conformance with that Section 261.4 (a) (7). Further, it is the intent of the Legislature that the department may define in the regulations the term "spent sulfuric acid" as it deems necessary to avoid sham recycling, as described on page 638 of Volume 50 of the Federal Register by the Environmental Protection Agency.

(Added by Stats. 1985, Ch. 1594.)

25143.4. (Repealed by Stats. 1991, Ch. 1218)

25250.1. As used in this article, the following terms have the following meanings:

(a) "Used oil" means any of the following:

(1) Any oil that has been refined from crude oil, and has been used, and, as a result of use, has been contaminated with physical or chemical impurities.

(2) Any oil that has been refined from crude oil and, as a consequence of extended storage, spillage, or contamination with nonhazardous impurities such as dirt and water, is no longer useful to the original purchaser.

(3) Spent lubricating fluids which have been removed from an engine crankcase, transmission, gearbox, or differential of an automobile, bus, truck, vessel, plane, heavy equipment, or machinery powered by an internal combustion engine.

(4) Spent industrial oils, including compressor, turbine, and bearing oil, hydraulic oil, metal-working oil, refrigeration oil, and railroad drainings.

(5) Contaminated fuel oil with a flashpoint equal to or greater than 100+F.

"Used oil" does not include oil which has a flashpoint below 100+F or which has been intentionally mixed with hazardous waste, other than minimal amounts of vehicle fuel. "Used oil" also does not include oil which contains polychlorinated biphenyls (PCBs) at a concentration of 5 ppm or greater. Used oil containing more than 1,000 ppm total halogens shall also meet the Environmental Protection Agency requirements listed in paragraph (c) of Section 266.40 of Title 40 of the Code of Federal Regulations.

(b) "Board" means the California Integrated Waste Management Board.

(c) "Recycled oil" means any oil, produced from used oil, which has been prepared for reuse and which achieves minimum standards of purity, in liquid form, as established by the department. This subdivision does not apply to oil which is to be disposed. The following standards of purity are in effect unless the department, by regulation, establishes more stringent standards:

(1) Flashpoint: minimum standards set by the American Society for Testing and Materials for the recycled products.

(2) Lead: 100 ppm or less prior to January 1, 1988; 50 ppm or less on and after January 1, 1988.

(3) Arsenic: 5 ppm or less.

(4) Chromium: 10 ppm or less.

(5) Cadmium: 2 ppm or less.

(6) Total halogens: if the oil contains more than 1,000 ppm total halogens, the oil shall meet the requirements of Section 266.40 of Title 40 of the Code of Federal Regulations (50 Fed. Reg. 49205), so that the oil is regulated as used oil pursuant to Subpart E (commencing with Section 266.40) of Part 266 of Subchapter I of Chapter 1 of Title 40 of the Code of Federal Regulations, and not as a RCRA hazardous waste pursuant to Subpart D (commencing with Section 266.30) of Part 266 of Subchapter I of Chapter 1 of Title 40 of the Code of Federal Regulations. However, the oil shall not contain more than 3,000 ppm total halogens.

(7) Polychlorinated biphenyls (PCBs): less than 2 ppm.

Compliance with these standards shall not be met by blending or diluting used oil with crude or virgin oil and shall be determined in accordance with the procedures for identification and listing of hazardous waste adopted in regulations by the department. Persons authorized by the department to recycle oil shall maintain records of volumes and characteristics of incoming used oil and outgoing recycled oil and documentation concerning the recycling technology utilized to demonstrate to the satisfaction of the department or other enforcement agencies that the recycling has been achieved in compliance with this subdivision.

(d) The standards set in subdivision (c) include the only concentrations allowed above the criteria adopted pursuant to Section 25141.

(e) Used oil which meets the standards set in subdivision (c), is not hazardous pursuant to the criteria adopted pursuant to Section 25141 for constituents other than those listed in subdivision (c), and is not mixed with any waste listed as a hazardous waste in Part 261 (commencing with Section 261.1) of Chapter 1 of Title 40 of the Code of Federal Regulations is not regulated by the department, unless otherwise specified. Used oil recycling facilities that are the first to claim that the used oil meets these requirements shall maintain an operating log and copies of certification forms as specified in Section 25250.19. Any person who generates used oil, and who claims that the oil is exempt from regulation pursuant to this subdivision, shall notify the department, in writing, of that claim and shall comply with the testing and recordkeeping requirements of Section 25250.19 prior to its reuse. In any action to enforce this article, the burden is on the generator or recycling facility (whichever first claimed that the used oil met the standards and criteria) and user of the used oil to prove that the oil met those standards and criteria.

(f) "Used oil recycling facility" means a facility which reprocesses or rerefines used oil.

(g) "Used oil storage facility" means a storage facility, as defined in subdivision (a) of Section 25123.3, which stores used oil.

(h) "Used oil transfer facility" means a transfer facility, as defined in subdivision (c) of Section 25123.3, that either stores used oil for periods greater than 144 hours or that transfers used oil from one container to another.

(Amended by Stats. 1991, Ch. 1173)

(F) The department may reduce the frequency of the testing required by this paragraph, as it deems appropriate.

(2) Shredder waste which has been stored, but not disposed of, as of January 1, 1988, shall be representatively sampled on or before February 15, 1988, in accordance with sampling methodology and sample handling procedures specified in Volume II of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," SW-846, 3rd edition, Environmental Protection Agency, 1986. Each sample shall be analyzed for both total and soluble concentrations of chromium, cadmium, copper, lead, mercury, nickel, and zinc, and for total concentrations of polychlorinated biphenyls.

(3) The producer maintains records documenting the use of a registered hauler and a weigh bill, bill of lading, or similar papers indicating the name of the generator, the date and amount shipped, the date and amount received, and the location where the waste is disposed of.

(b) The department shall not prohibit the disposal of shredder waste pursuant to subdivision (a) if the department determines that the waste will not pose a threat to human health or water quality and the waste is not stored, but is disposed of within 45 days after production or determination of its hazardous constituents. In making this determination, the department shall use the criteria and procedures specified in Chapter 30 (commencing with Section 60001) of Division 4 of Title 22 of the California Administrative Code for the identification of hazardous waste, and shall determine that the waste conforms with the allowable levels of specified contaminants, as verified by results obtained from the shredder waste monitoring program described in paragraph (1) of subdivision (a).

(c) Shredder waste disposed of pursuant to this section shall be disposed of in accordance with State Water Resources Control Board Resolution No. 87-22, ensuring its location in either a separate cell or in the highest lift, unless this procedure is waived by the State Water Resources Control Board or the appropriate California regional water quality control board.

(d) This section does not apply to any shredder waste which contains total concentrations of polychlorinated biphenyls in excess of 50 parts per million.

(e) Shredder waste disposed of pursuant to this section is exempt from any hazardous waste fee or tax imposed pursuant to this chapter or Chapter 6.8 (commencing with Section 25300).

(f) For purposes of this section, "shredder waste" means waste which results from the shredding of automobile bodies, household appliances, and sheet metal.

(g) This section shall remain in effect only until January 1, 1989, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1989, deletes or extends that date.

(Added by Stats. 1987, Ch. 1483.)

25143.9. A recyclable material shall not be excluded from classification as a waste pursuant to subdivision (b) or (d) of Section 25143.2, unless all of the following requirements are met:

(a) If the material is held in a container or tank, the container or tank is labeled, marked, and placarded in accordance with the department's hazardous waste labeling, marking, and placarding requirements which are applicable to generators, except that the container or tank shall be labeled or marked clearly with the words "Excluded Recyclable Material" instead of the words "Hazardous Waste," and manifest document numbers are not applicable.

(b) The owner or operator of the business location where the material is located has a business plan that meets the requirements of Section 25504, including, but not limited to, emergency response plans and procedures, as described in subdivision (b) of Section 25504, which specifically address the material or that meet the department's emergency response and contingency requirements which are applicable to generators of hazardous waste.

(c) The material shall be stored and handled in accordance with all local ordinances and codes, including, but not limited to, fire codes, governing the storage and handling of the hazardous material. If a local jurisdiction does not have an ordinance or code regulating the storage of the material, including, but not limited to, an ordinance or code requiring secondary containment for hazardous material storage areas, then the material shall be stored in tanks, waste piles, or containers meeting the department's interim status regulations establishing design standards applicable to tanks, waste piles, or containers storing hazardous waste.

(d) If the material is being exported to a foreign country, the person exporting the material shall meet the requirements of Section 25162.1.

(Amended by Stats. 1991, Ch. 1173)

25143.10. (a) Except as provided in subdivisions (e) and (f), any person who recycles more than 100 kilograms per month of recyclable material under a claim that the material qualifies for exclusion or exemption pursuant to Section 25143.2 shall, on or before July 1, 1992, and every two years thereafter, provide to the local health officer or other local public officer authorized to implement this chapter pursuant to Section 25180, all of the following information, using the format established pursuant to subdivision (d), in writing:

(1) The name, site address, mailing address, and telephone number of the owner or operator of any facility that recycles the material.

(2) The name and address of the generator of the recyclable material.

25250.3. Any virgin oil product or partially refined product, which has not been previously used, which has become contaminated with nonhazardous impurities such as dirt or water, and which has been returned to bulk storage by the product's manufacturer, transporter, or wholesaler for gravity separation of contaminants, is exempt from this article. Any petroleum product which becomes contaminated with any other petroleum product during refining, transportation by pipeline, storage and which remains usable as a refinery feed stock or as a refinery fuel is exempt from this article.
(Added by Stats. 1986, Ch. 871.)

25250.4. Used oil shall be managed as a hazardous waste in accordance with the requirements of this chapter until it has been shown to meet the requirements of subdivision (e) of Section 25250.1 or is excluded from regulation as a hazardous waste pursuant to Section 25143.2.
(Amended by Stats. 1991, Ch. 1173)

25250.5. (a) Disposal of used oil by discharge to sewers, drainage systems, surface or groundwaters, watercourses, or marine waters; by incineration or burning as fuel; or by deposit on land, is prohibited, unless authorized under other provisions of law.
(b) The use of used oil, reycled oil, or oil exempted pursuant to subdivision (e) of Section 25250.1 as a dust suppressant or weed control agent is prohibited unless the oil meets the requirements of subdivision (e) of Section 25250.1 and additionally meets all of the following standards:
(1) Lead is less than 5 mg/1.
(2) Cadmium is less than 1 mg/1.
(3) Total regulated halogenated solvents identified by hazardous waste number F001 or F002 in Section 261.31 of Title 40 of the Code of Federal Regulations or listed by the department as a hazardous waste are 100 ppm or less.
(c) Any person who claims that oil complies with the requirements of subdivision (b) for use of oil as a dust suppressant or weed control agent shall do all of the following:
(1) Notify the department, in writing, of that claim.
(2) Test the oil.
(3) Certify the oil as being in compliance with these requirements.
Records of tests performed shall be maintained for three years and are subject to audit and verification by the department or the board.
(Amended by Stats. 1990, Ch. 1219)

25250.7. No person who generates, stores, or transfers used oil shall intentionally contaminate used oil with other hazardous waste, other than minimal amounts of vehicle fuel.
(Added by Stats. 1989, Ch. 1254.)

25250.8. Used oil shall be manifested under either one of the following procedures:
(a) The procedures prescribed by Sections 25160 and 25161.
(b) The following modified manifesting procedure, which may be used only by a registered hazardous waste hauler and shall be used only with the consent of the generator:
(1) A separate manifest shall be completed by each vehicle driver, with respect to each transport vehicle operated by that driver for each date.
(2) The hauler shall complete both the generator's and the hauler's sections of the manifest using the hauler's name, Environmental Protection Agency identification number, terminal address, and phone number. The hauler's section shall be completed prior to commencing each day's used oil collections. The driver shall sign and date the generator's and hauler's sections of the manifest.
(3) The hauler shall attach to the front of the manifest legible receipts for each quantity of used oil that is received from a generator. The receipts shall be used to determine the total volume of used oil in the vehicle. After the used oil is delivered, the receipts shall be affixed to the hauler's copy of the manifest. The hauler shall leave a copy of the receipt with the generator of the used oil. The generator shall retain each receipt for at least three years.
(4) All copies of each receipt shall contain all of the following information:
(A) The name, address, and telephone number of the generator, and the signature of the generator or the generator's representative.
(B) The date of the shipment.
(C) The state manifest number.
(D) The volume of the used oil received and its proper shipping description, including the hazardous class and identification number, if applicable.
(E) The name and address of the permitted facility to which the used oil will be transported.
(F) The hauler's name, address, and Environmental Protection Agency identification number.